

AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 1181**

**Introduced by Assembly Member Matthews**

February 22, 2005

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An act to add Section ~~49605~~ 37682.1 to the Education Code, relating to ~~educational counseling~~ *year-round schools* .

### LEGISLATIVE COUNSEL'S DIGEST

AB 1181, as amended, Matthews. ~~Counseling services~~*Concept 6 program.*

~~Existing law allows the governing board of any school district to provide a comprehensive educational counseling program for all pupils enrolled in the schools of the district. Existing law requires that educational counseling include, but not be limited to, academic counseling, career and vocational counseling, and personal and social counseling.~~ *authorizes a school district to operate a Concept 6 program of year-round scheduling whereby a school operates on a three-track year-round calendar in which each track provides fewer than 180 days, but no fewer than 163 days, of instruction per school year. Existing law commencing with the 2004–05 school year, prohibits a school district from operating a Concept 6 program unless the school district operated a Concept 6 program continuously since the 2003–04 school year. Existing law requires a school district, as a condition of operating a Concept 6 program in the 2004–05 school year or thereafter, by January 1, 2005, to present to the State Department of Education a comprehensive action plan, as specified.*

~~This bill would require each school offering instruction in any of grades 7 to 12, inclusive, to have a minimum of one counselor per 500 pupils. Because this bill may require schools to employ additional~~

~~counselors, it would impose a state-mandated local program, notwithstanding those conditions, authorize the Los Banos Unified School District to operate a Concept 6 program at the Los Banos Junior High School. This bill would require the Los Banos Unified School District, as a condition of operating a Concept 6 program at the Los Banos Junior High School, by April 1, 2006, to develop and present to the State Department of Education a comprehensive action plan, as specified.~~

*This bill would declare that, due to the unique special circumstances applicable to the Los Banos Unified School District and the Los Banos Junior High School, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.*

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: ~~yes~~-no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 49605 is added to the Education Code,~~  
 2     ~~to read:~~  
 3     *SECTION 1. Section 37682.1 is added to the Education*  
 4     *Code, to read:*  
 5     *37682.1. Notwithstanding Sections 37681 and 37682, the Los*  
 6     *Banos Unified School District may operate a Concept 6 program*  
 7     *at the Los Banos Junior High School.*  
 8     *(a) As a condition of operating a Concept 6 program at the*  
 9     *Los Banos Junior High School starting in the 2006–07 school*  
 10    *year, or thereafter, the Los Banos Unified School District shall,*  
 11    *by April 1, 2006, present to the department a comprehensive*  
 12    *action plan detailing the strategy and steps to be taken annually*

1 *to eliminate the use of the Concept 6 program as soon as*  
2 *practicable, and no later than July 1, 2012.*

3 *(b) The comprehensive action plan shall be developed and*  
4 *presented to the department in accordance with paragraphs (1)*  
5 *and (2) of subdivision (a) of Section 37682.*

6 SEC. 2. The Legislature finds and declares that a special law  
7 is necessary and that a general law cannot be made applicable  
8 within the meaning of Section 16 of Article IV of the California  
9 Constitution because of the unique scheduling needs of the Los  
10 Banos Unified School District and the Los Banos Junior High  
11 School.

12 ~~49605. Each school offering instruction in any of grades 7 to~~  
13 ~~12, inclusive, shall have a minimum of one counselor per 500~~  
14 ~~pupils.~~

15 ~~SEC. 2. If the Commission on State Mandates determines that~~  
16 ~~this act contains costs mandated by the state, reimbursement to~~  
17 ~~local agencies and school districts for those costs shall be made~~  
18 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
19 ~~4 of Title 2 of the Government Code.~~